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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application

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Inventor(s): Hiroaki SUDO et al.

Art Unit: 2634 OCT 21 2004

Application No.: 09/582,558

Examiner: C. Odum Technology Center 2600

Filed: June 29, 2000

For: APPARATUS AND METHOD FOR TRANSMISSION/RECEPTION

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CERTIFICATION UNDER 37 CFR §1.97(e)(1)  
AND TRANSMITTAL FEE UNDER 37 CFR 1.17(p)

OCT 21 2004

Assistant Commissioner of Patents  
Washington, DC 20231

Technology Center 2600

Dear Sir:

Applicants respectfully request pursuant to 37 CFR 1.97(d)(1) and (2), that the attached Information Disclosure Statement be entered. Please charge the fee of \$180.00 required by 37 CFR 1.17(p) to Deposit Account No. 19-4375.

In fulfillment of 37 CFR 1.97(d)(1) and (2) and 37 CFR 1.97(e)(1), it is hereby certified that each item of information contained in the attached Information Disclosure Statement was first cited in any communication (see the attached copy of a Supplementary European Search Report dated July 29, 2004) from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

Respectfully submitted,

Date: October 18, 2004

James E. Ledbetter  
Registration No. 28,732

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Inventor(s): Hiroaki SUDO et al. Art Unit: 2634  
Application No.: 09/582,558 Examiner: C. Odom  
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For: APPARATUS AND METHOD FOR TRANSMISSION/RECEPTION

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner of Patents  
Washington, DC 20231

Dear Sir:

Pursuant to Rules 56 and 99, Applicants hereby call the attention of the Patent Office to the art listed on the attached Form PTO 1449. All of these references were cited in a Supplementary European Search Report dated July 29, 2004.

Applicants present this art so that the Patent Office may, in the first instance, determine any relevancy thereof to the presently claimed invention, see Beckman Instruments, Inc. v. Chemtronics, Inc., 439 F.2d 1369, 1380, 165 USPQ 355, 364 (5th Cir. 1970). Also see Patent Office Rules 104 and 106. Applicants respectfully request that this art be expressly considered during the prosecution of this application and made of record herein and appear among the "References Cited" on any patent to issue herefrom.

Respectfully submitted,

James E. Ledbetter  
Registration No. 28,732

Date: October 18, 2004

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**FORM PTO-1449** U.S. Department of Commerce  
(Rev. 4/92) Patent and Trademark Office

ATTY. DOCKET NO.

SERIAL NO.

**JEL 31206 PCT**

**09/582,558**

**APPLICANT**

Hiroaki SUDO, et al.

FILING DATE

**June 29, 2000**

GROUP

2634

**U.S. PATENT DOCUMENTS**

[illegible]

## FOREIGN PATENT DOCUMENTS

[illegible]

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

**Supplementary European Search Report dated July 29, 2004.**

Morelos-Zaragoza, et al., "Coded Modulation for Satellite Broadcasting," IEEE Global Telecommunications Conference, XP010219991, ppgs. 31-35, Nov. 1996.

Huan-Bang Li et al., "Multiple Block Coded Modulations and Applications to UEP," IEEE International Conference on Universal Personal Communications, XP010248757, ppgs. 489-493, Oct. 1997.

**Isaka M, et al. "Error Performance Analysis of Multilevel Coded Asymmetric 8-PSK Modulation with Multistage Decoding and Unequal Error Protection," IEEE International Symposium on Information Theory, XP002290514, pg. 210, Aug. 1998.**

**EXAMINER**

**DATE CONSIDERED**

**EXAMINER:** Initial if citation is considered, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.